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Harrison, 65 Ala. 345; *Leonard v. Woodruff*, 23 Utah 495; *Jelko v. Barrett*, 52 Miss. 315; *Bayne v. Wiggins*, 139 U. S. 210.—*Michigan Law Review*.

ASSAULT AND BATTERY—MISTAKEN IDENTITY.—To excuse a person for assaulting another under the belief that he is a third person, upon whom an assault would be justified, it is held, in *Crabtree v. Dawson* (Ky.), 67 L. R. A. 565, that he must exercise the highest degree of care practicable under the circumstances to ascertain whether or not the person whom he is about to strike is in fact the one whom he believes him to be. The question of mistaken identity as justification for assault is the subject of a note to this case.

HOMICIDE—INJURIES BY DIFFERENT PERSONS.—Where it appeared on the trial for murder that the victim was shot and wounded by one person using a shotgun and another using a pistol, and that one of the wounds inflicted by the pistol was certainly mortal, and that probably one or more of the wounds inflicted by the shotgun were so, it is held, in *Walker v. State* (Ga.), 67 L. R. A. 426, that, in order to convict the person using the shotgun of murder in such a case, the evidence must be such as to authorize the jury to find that death actually ensued as the result of the act of the defendant on trial, in the absence of any conspiracy between the parties doing the shooting. The other authorities on homicide resulting from injuries by different persons acting independently are collated in a note to this case.

INTOXICATING LIQUORS—GIVING LIQUOR TO MINORS—Cf. SEC. 3828, VA. CODE 1904.—Furnishing liquor to a minor as an act of hospitality in one's home is held, in *People v. Bird* (Mich.), 67 L. R. A. 424, not to be a violation of a provision making it unlawful for any person to give such liquor to a minor, which is embraced within a statute the title to which states that it is to provide for the taxation and regulation of the business of selling, furnishing, and giving liquors.

The Virginia statute (sec. 3828, Va. Code 1904) makes it a misdemeanor for persons dealing in intoxicating liquor to give liquor to minors.

HOMICIDE—SELF-DEFENSE—CHAMPIONING CAUSE OF PARAMOUR.—The right of a man to champion the cause of a woman with whom he is maintaining improper relations, and to defend her against the simple assaults of her brother, so as to give him the benefit of the rule as to self-defense in case he kills the brother during the altercation, is denied in *Morrison v. Com.* (Ky.), 67 L. R. A. 529. Homicide to prevent criminal or unlawful acts is the subject of a note to this case.

NUISANCE—TEMPORARY CHARACTER.—In *N. K. Fairbank Co. v. Bahre*, Ill., 73 N. E. 322, it was held that the placing by defendant on its land of